

MINUTES
IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA SOUTHERN, DIVISION

HON. CHARLES S. COODY, MAG. JUDGE AT MONTGOMERY, ALABAMA

DATE COMMENCED: 12/13/05 AT 2:02 p.m. to 2:05 p.m.

DATE COMPLETED: 12/13/05 AT FTR RECORDING

| | | |
|-----------------------------|---|------------------------|
| LISA MINTON | * | |
| | * | |
| Plaintiff | * | |
| | * | |
| vs.. | * | CASE NO. 1:05CV878-CSC |
| | * | |
| CULLIGAN WATER, INC., et al | * | |
| | * | |
| Defendant | * | |

| | | |
|---------------------|---------------------|------------------------|
| PLAINTIFF | <u>APPEARANCES:</u> | DEFENDANT |
| | * | |
| Atty. Joshua Wilson | * | Atty. Charles Hamilton |

COURT OFFICIALS PRESENT:

| | |
|---------------------------------|------------------------|
| COURTROOM DEPUTY: WANDA STINSON | LAW CLERK: CORRIE LONG |
|---------------------------------|------------------------|

(X) OTHER PROCEEDINGS: **ORAL ARGUMENT via TELEPHONE RE: MOTION TO DISMISS AND MOTION TO AMEND COMPLAINT**

SEE MINUTES ATTACHED

| LOG OF PROCEEDINGS ELECTRONICALLY RECORDED | | | |
|--|----------------|---|----------|
| Description | | OA via Telephone - 05cv878-CSC re: Motion to Dismiss | |
| Date | | 12/13/2005 | Location |
| | | Courtroom 4B | |
| Time | Speaker | Note | |
| 2 :02:17 PM | Court | Conference call begins; Discussions as to pending motions in case: Motion to Amend or correct the Complaint and the other, Motion to Dismiss; | |
| 2 :03:20 PM | Atty. Hamilton | Response; | |
| 2 :03:57 PM | Court | Discussion as to motion to amend and does the motion correctly identify the entity that is the proper deft; | |
| 2 :04:15 PM | Atty. Hamilton | Yes, the name is stated correctly. Response; | |
| 2 :04:25 PM | Court | Will deny motion to dismiss and grant motion to amend; Planning report has been files and the court will enter a scheduling order; | |
| 2 :05:11 PM | Atty. Hamilton | Addresses court as to amended complaint; | |
| 2 :05:26 PM | Court | Response; | |
| 2 :05:40 PM | Court | Conference call ends | |
| | | | |